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Practitioner's Docket No. 1348/111

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Ian Percival

Application No.: 10/709,040

Group No.: 2188

Filed: 04/08/2004

Examiner: Namazi, Mehdi

For: A Method and System for Coherently Caching I/O Devices Across a Network

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response and Terminal Disclaimer for this application. Please charge the Terminal Disclaimer fee of \$55.00 to Deposit Account No. 19-4972.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

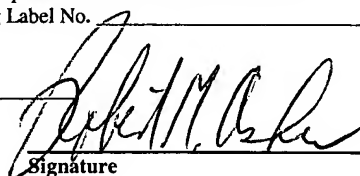
37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: October 22, 2004

Robert M. Asher

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

|   | (Col. 1)                                  | (Col. 2)                              | (Col. 3)         | SMALL ENTITY        |               |      |  |
|---|---|---------------------------------------|------------------|---------------------|---------------|------|--|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE                | ADDIT.<br>FEE |      |  |
| TOTAL                                     | 110                                       | - 110                                 | = 0              | x \$ 9.00           | = \$          | 0.00 |  |
| INDEP.                                    | 21  | - 21                                  | = 0              | x \$ 44.00          | = \$          | 0.00 |  |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       |                  | + \$ 0.00           | = \$          | 0.00 |  |
|   |   |                                       |                  | TOTAL<br>ADDIT. FEE | \$            | 0.00 |  |

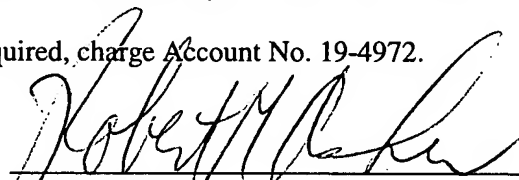
No additional fee for claims is required.

## FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: October 22, 2004

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Percival

App. No.: 10/709,040

Filing Date: April 8, 2004



Att'y Docket: 1348/111

Art Unit: 2188

Examiner: M. Namazi

For: **Method and System for Coherently Caching  
I/O Devices Across a Network**

Date: October 22, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED OCTOBER 19, 2004**

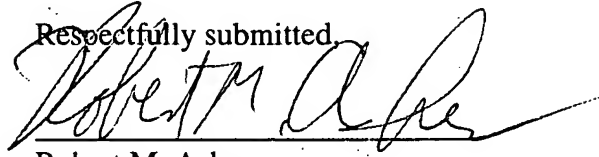
Dear Sir/Madam:

In response to the office action mailed October 19, 2004 Applicant submits herewith a terminal disclaimer to put the above-identified application in condition for allowance.

Claims 1-110 were rejected under the judicially created doctrine of double patenting over claims 1-28 of U.S. Patent No. 6,370,615. The assignee for the present application and the parent patent is the same entity, Superspeed Software, Inc. Applicant makes no comment as to the propriety of the rejection, but submits herewith a terminal disclaimer to expedite prosecution and remove the only ground for rejection raised by the Examiner.

The present application is now in condition for allowance and early notice to that effect is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. Asher", written over a horizontal line.

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